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13 UNITED STATES DISTRICT COURT
14 DISTRICT OF NEVADA
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16 UNITED STATES OF AMERICA

17 Plaintiff,

18 vs.

19 F. HARVEY WHITTEMORE

20 Defendant.

CASE NO. 3:12-cr-00058-LRH-WGC

21 ORDER REGARDING

22 **F. HARVEY WHITTEMORE'S UNOPPOSED MOTION FOR AN**
23 **EXTENSION OF TIME TO FILE HIS REPLIES TO THE**
GOVERNMENT'S RESPONSES TO POST-TRIAL MOTIONS

24 Defendant, F. Harvey Whittemore, by and through his attorneys, Gordon Silver, hereby
25 moves for an extension of time to file his Replies to the Government's Responses to Mr.
26 Whittemore's post-trial motions. This motion is supported by the attached memorandum of
27 points and authorities and all papers and pleadings on file herein.
28

MEMORANDUM OF POINTS AND AUTHORITIES

Following trial in this matter, Mr. Whittemore filed two post-trial motions on June 12, 2013: (1) Motion in Arrest of Judgment and to Dismiss with Respect to Counts 1 through 3 of the Indictment (# 178¹); and (2) Motion for New Trial (# 179). On June 28, 2013, the Court issued an Order (# 183) granting the Government's Unopposed Motion for An Extension of Time to File its Responses (# 182) to both post-trial motions. Pursuant to this Order, the Government timely filed its Responses (## 185, 186) to the post-trial motions on July 15, 2013.

Mr. Whittemore respectfully requests an extension of time to and including August 12, 2013, to file his replies in support of his post-trial motions (## 178, 179). Mr. Whittemore requests this extension in order to allow adequate time to fully brief the complex issues raised in his motions and responded to by the Government. In addition, counsel needs additional time as a result of obligations in this and other cases.

Counsel for Mr. Whittemore has contacted Steven W. Myhre, counsel for the Government, who indicated that the Government does not oppose an extension of time to and including August 12, 2013. This extension of time is not being made for purposes of delay and will not impact any other deadlines in this case.

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¹ Refers to the Court's docket number.

1 For these reasons, Mr. Whittemore respectfully requests that the Court grant this motion
2 and allow Mr. Whittemore to file his replies in support of the post-trial motions on or before
3 August 12, 2013.

4 DATED this 26th day of July, 2013

5 GORDON SILVER

6
7 /s/ Justin J. Bustos

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21 *Attorneys for Defendant,*
22 *F. Harvey Whittemore*

23 ORDER

24 IT IS SO ORDERED.

25 DATED this 29th day of July, 2013.

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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE